

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL DIVISION</b>
	<b>:</b>	
	<b>:</b>	<b>Criminal No. 01-06 ERIE</b>
<b>v.</b>	<b>:</b>	
	<b>:</b>	
	<b>:</b>	
<b>DANIEL J. LEVETO</b>	<b>:</b>	
	<b>:</b>	
	<b>:</b>	<b>MOTION TO WITHDRAW</b>
	<b>:</b>	<b>APPEARANCE AS</b>
	<b>:</b>	<b>COUNSEL OF RECORD</b>
	<b>:</b>	
	<b>:</b>	
	<b>:</b>	Filed on behalf of Defendant,
	<b>:</b>	<b>Daniel J. Leveto</b>
	<b>:</b>	
	<b>:</b>	
	<b>:</b>	Counsel of Record for this
	<b>:</b>	Party:
	<b>:</b>	
	<b>:</b>	<b>Stephen Misko, Esquire</b>
	<b>:</b>	<b>PA I.D. No. 59999</b>
	<b>:</b>	
	<b>:</b>	106 S. Main Street
	<b>:</b>	Suite 704
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: :  
: : **Criminal No. 01-06 ERIE**  
**v.** : :  
: :  
: :  
**DANIEL J. LEVETO** : :

**MOTION TO WITHDRAW APPEARANCE AS COUNSEL OF RECORD**

AND NOW, comes the Defendant, Daniel J. Leveto, by and through his attorney, Stephen M. Misko, and formally moves to withdraw as counsel of record:

1. On August 15, 2005 the Court appointed the undersigned as Counsel of Record in the above captioned matter. Counsel was formally appointed in a standby capacity.
2. On October 25, 2005, Kenneth J. Benson, entered his Appearance of Counsel, in a private capacity, as Attorney of Record in this matter.
3. Based upon the foregoing, the undersigned respectfully requests that the Court allow him to withdraw as appointed counsel in this matter.

WHEREFORE, the undersigned respectfully requests the Court allow him to withdraw as Counsel of Record for the reasons stated herein.

**Respectfully submitted,**

**s/Stephen M. Misko**  
**Stephen M. Misko, Esquire**  
**Attorney for Daniel J. Leveto**

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UNITED STATES OF AMERICA : CRIMINAL DIVISION  
: :  
: : Criminal No. 01-06 ERIE  
v. : :  
: :  
: :  
DANIEL J. LEVETO : :

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **Motion to Withdraw Appearance** was served by ECF Electronic Mail, to the following parties on this the 26<sup>th</sup> day of October, 2005.

Thomas Voracek, Esquire  
Rita G. Calvin, Esquire  
U.S. Department of Justice  
Tax Division  
600 E. Street, N.W.  
Room 5617  
Washington, D.C. 20530

s/Stephen M. Misko  
Stephen M. Misko, Esquire  
Attorney for Defendant

